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January 5, 2005

VIA HAND DELIVERY

Chairman Pat Miller
c/o Sharla Dillon, Docket Manager
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243

Re: Petition of Tennessee American Water Company to Change and Increase Certain Rates and Charges So As to Permit It to Earn a Fair and Adequate Rate of Return on Its Property Used and Useful In Furnishing Water Service to Its Customers, Docket No. 04-00288.

Dear Chairman Miller:


Pursuant to the October 28, 2004 Order Modifying Procedural Schedule, enclosed please find the original and 1 copy of the following documents for filing in the above-referenced docket:

1. Second Request for Discovery from Tennessee American Water Company to Chattanooga Manufacturers Association;
2. Second Request for Discovery from Tennessee American Water Company to City of Chattanooga, Tennessee; and
3. Second Request for Discovery from Tennessee American Water Company to Consumer Advocate and Protection Division of the Attorney General for the State of Tennessee.

Also enclosed is an additional copy of each document, which I would appreciate your stamping as "filed," and returning to me by way of our courier.

Should you have any questions with respect to this filing, please do not hesitate to contact me at the telephone number listed above.

Very truly yours,



Davidson French

JDM/tn

Enclosures

cc: Certificate of Service List
Mr. Paul Diskin
T.G. Pappas, Esq.

BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE

RECEIVED

2005 JAN -5 PM 2:02

IN RE:

PETITION OF TENNESSEE AMERICAN
WATER COMPANY TO CHANGE AND
INCREASE CERTAIN RATES AND
CHARGES SO AS TO PERMIT IT TO
EARN A FAIR AND ADEQUATE RATE
OF RETURN ON ITS PROPERTY USED
AND USEFUL IN FURNISHING WATER
SERVICE TO ITS CUSTOMERS

T.R.A. DOCKET ROOM

Docket No. 04-00288

**SECOND REQUEST FOR DISCOVERY FROM TENNESSEE AMERICAN WATER
COMPANY TO CONSUMER ADVOCATE AND PROTECTION DIVISION OF THE
ATTORNEY GENERAL FOR THE STATE OF TENNESSEE**

Petitioner Tennessee American Water Company ("Petitioner" or "TAWC") serves these Second Discovery Requests on the Consumer Advocate and Protection Division of the Attorney General for the State of Tennessee ("CAPD"), and asks that CAPD provide responses to each request separately, fully, and in writing. CAPD is also called upon to produce all documents and evidence requested herein. Furthermore, CAPD is called upon to fulfill its duty to supplement its answers as far in advance of the beginning of any hearing as is reasonably possible if it has learned that any response is in any material respect incomplete, incorrect or has changed.

In these discovery requests, the terms "document" or "documents" or "documentation" refers to all written, reported, recorded or graphic matter (including all drafts, originals and nonconforming copies that contain deletions, insertions, handwritten notes or comments, and the like) however produced or reproduced to any tangible or intangible, permanent or temporary record and, without limitation, shall include the following: all letters, correspondence, records of conferences or meetings, memoranda, notes, printed electronic mail ("e-mail"), telegrams, telephone logs, teletypes, telexes, banking records, notices of wire transfer of funds, canceled

checks, books of account, budgets, financial records, contracts, agreements, invoices, speeches, transcripts, depositions, press releases, affidavits, communications with government bodies, interoffice communications, working papers, newspaper or magazine articles, computer data, tax returns, vouchers, papers similar to any of the foregoing, and any other writings of every kind and description (whether or not actually used) and any other records from which information can be obtained and translated into reasonably usable form, including without limitation, e-mail, voice recordings, video and audio recordings, photographs, films, tapes and other data compilations.

DISCOVERY REQUEST NO. 15:

If the CAPD relies on any facts that were not specifically identified or discussed in the direct testimony that has been submitted on behalf of the CAPD in this proceeding, whether related to issues of credibility or any other issue, to support your contention(s), position(s) or belief(s) that any of the request(s) for relief, including any increase in rates, made by TAWC in TRA Docket No. 04-00288 should not be approved by the Tennessee Regulatory Authority ("TRA"), identify or state each such fact with specificity.

RESPONSE:

DISCOVERY REQUEST NO. 16:

If the CAPD relies on any documents, photographs, or any other articles or things whatsoever that were not attached to the direct testimony that has been submitted on behalf of the CAPD in this proceeding, whether as to issues of credibility or any other issue, to support the CAPD's contention(s), position(s) or belief(s) that any of the request(s) for relief, including any increase in rates, made by TAWC in TRA Docket No. 04-00288 should not be approved, produce each such document, photograph, or any other article or thing whatsoever.

RESPONSE:

DISCOVERY REQUEST NO. 17:

Provide in electronic media all exhibits, schedules, work papers, and other documents that were attached to or produced in connection with the direct testimony that the CAPD submitted in this proceeding, and provide in electronic media and in hard copy all underlying work papers upon which those exhibits, schedules, work papers, and other documents were based or were otherwise derived.

RESPONSE:

Respectfully submitted,



J. Davidson French (#15442)

R. Dale Grimes (#6223)

T. G. Pappas (#2703)

BASS, BERRY & SIMS PLC

AmSouth Center

315 Deaderick Street, Suite 2700

Nashville, TN 37238-3001

(615) 742-6200

Counsel for Petitioner

Tennessee American Water Company

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Request for Discovery from Tennessee American Water Company to the Consumer Advocate and Protection Division of the Attorney General for the State of Tennessee has been served via the method(s) indicated, on this the 5th day of January, 2005, upon the following:

<input type="checkbox"/> Hand	Michael A. McMahan, Esq.
<input checked="" type="checkbox"/> Mail	Phillip A. Noblett, Esq.
<input checked="" type="checkbox"/> Facsimile	Lawrence W. Kelly, Esq.
<input type="checkbox"/> Overnight	Nelson, McMahan & Noblett
	801 Broad Street, Suite 400
	Chattanooga, TN 37402
<input checked="" type="checkbox"/> Hand	Timothy C. Phillips, Esq.
<input checked="" type="checkbox"/> Mail	Vance L. Broemel, Esq.
<input checked="" type="checkbox"/> Facsimile	Office of the Attorney General
<input type="checkbox"/> Overnight	Consumer Advocate and Protection Division
	P.O. Box 20207
	Nashville, TN 37202
<input checked="" type="checkbox"/> Hand	Henry M. Walker, Esq.
<input type="checkbox"/> Mail	Boult, Cummings, Conners & Berry, PLC
<input checked="" type="checkbox"/> Facsimile	414 Union Street, Suite 1600
<input type="checkbox"/> Overnight	Nashville, TN 37219
<input type="checkbox"/> Hand	David C. Higney, Esq.
<input checked="" type="checkbox"/> Mail	Grant, Konvalinka & Harrison, P.C.
<input checked="" type="checkbox"/> Facsimile	633 Chestnut Street, 9 th Floor
<input type="checkbox"/> Overnight	Chattanooga, TN 37450



BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE

RECEIVED

2005 JAN -5 PM 2:01

IN RE:

PETITION OF TENNESSEE AMERICAN
WATER COMPANY TO CHANGE AND
INCREASE CERTAIN RATES AND
CHARGES SO AS TO PERMIT IT TO
EARN A FAIR AND ADEQUATE RATE
OF RETURN ON ITS PROPERTY USED
AND USEFUL IN FURNISHING WATER
SERVICE TO ITS CUSTOMERS

T.R.A. DOCKET ROOM

Docket No. 04-00288

**SECOND REQUEST FOR DISCOVERY FROM TENNESSEE AMERICAN WATER
COMPANY TO CITY OF CHATTANOOGA, TENNESSEE**

Petitioner Tennessee American Water Company ("Petitioner" or "TAWC") serves these Second Discovery Requests on the City of Chattanooga, Tennessee (the "City"), and asks that the City provide responses to each request separately, fully, and in writing. The City is also called upon to produce all documents and evidence requested herein. Furthermore, the City is called upon to fulfill its duty to supplement its answers as far in advance of the beginning of any hearing as is reasonably possible if it is learned that any response is in any material respect incomplete, incorrect or has changed.

In these discovery requests, the terms "document" or "documents" or "documentation" refers to all written, reported, recorded or graphic matter (including all drafts, originals and nonconforming copies that contain deletions, insertions, handwritten notes or comments, and the like) however produced or reproduced to any tangible or intangible, permanent or temporary record and, without limitation, shall include the following: all letters, correspondence, records of conferences or meetings, memoranda, notes, printed electronic mail ("e-mail"), telegrams, telephone logs, teletypes, telexes, banking records, notices of wire transfer of funds, canceled

checks, books of account, budgets, financial records, contracts, agreements, invoices, speeches, transcripts, depositions, press releases, affidavits, communications with government bodies, interoffice communications, working papers, newspaper or magazine articles, computer data, tax returns, vouchers, papers similar to any of the foregoing, and any other writings of every kind and description (whether or not actually used) and any other records from which information can be obtained and translated into reasonably usable form, including without limitation, e-mail, voice recordings, video and audio recordings, photographs, films, tapes and other data compilations.

DISCOVERY REQUEST NO. 15:

If the City relies on any facts that were not specifically identified or discussed in the direct testimony that has been submitted on behalf of the City in this proceeding, whether related to issues of credibility or any other issue, to support your contention(s), position(s) or belief(s) that any of the request(s) for relief, including any increase in rates, made by TAWC in TRA Docket No. 04-00288 should not be approved by the Tennessee Regulatory Authority ("TRA"), identify or state each such fact with specificity.

RESPONSE:

DISCOVERY REQUEST NO. 16:

If the City relies on any documents, photographs, or any other articles or things whatsoever that were not attached to the direct testimony that has been submitted on behalf of the City in this proceeding, whether as to issues of credibility or any other issue, to support the City's contention(s), position(s) or belief(s) that any of the request(s) for relief, including any increase in rates, made by TAWC in TRA Docket No. 04-00288 should not be approved, produce each such document, photograph, or any other article or thing whatsoever.

RESPONSE:

DISCOVERY REQUEST NO. 17:

Provide in electronic media all exhibits, schedules, work papers, and other documents that were attached to or produced in connection with the direct testimony that the City submitted in this proceeding, and provide in electronic media and in hard copy all underlying work papers upon which those exhibits, schedules, work papers, and other documents were based or were otherwise derived.

RESPONSE:

Respectfully submitted,



J. Davidson French (#15442)

R. Dale Grimes (#6223)

T. G. Pappas (#2703)

BASS, BERRY & SIMS PLC

AmSouth Center

315 Deaderick Street, Suite 2700

Nashville, TN 37238-3001

(615) 742-6200

Counsel for Petitioner

Tennessee American Water Company

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Request for Discovery from Tennessee American Water Company to the City of Chattanooga has been served via the method(s) indicated, on this the 5th day of January, 2005, upon the following:

☐ Hand
☒ Mail
☒ Facsimile
☐ Overnight

Michael A. McMahan, Esq.
Phillip A. Noblett, Esq.
Lawrence W. Kelly, Esq.
Nelson, McMahan & Noblett
801 Broad Street, Suite 400
Chattanooga, TN 37402

☒ Hand
☐ Mail
☒ Facsimile
☐ Overnight

Timothy C. Phillips Esq.
Vance L. Broemel, Esq.
Office of the Attorney General
Consumer Advocate and Protection Division
P.O. Box 20207
Nashville, TN 37202

☒ Hand
☐ Mail
☒ Facsimile
☐ Overnight

Henry M. Walker, Esq.
Boult, Cummings, Conners & Berry, PLC
414 Union Street, Suite 1600
Nashville, TN 37219

☐ Hand
☒ Mail
☒ Facsimile
☐ Overnight

David C. Higney, Esq.
Grant, Konvalinka & Harrison, P.C.
633 Chestnut Street, 9th Floor
Chattanooga, TN 37450



RECEIVED

T.R.A. DOCKET ROOM

Docket No. 04-00288

**SECOND REQUEST FOR DISCOVERY FROM TENNESSEE AMERICAN WATER
COMPANY TO CHATTANOOGA MANUFACTURERS ASSOCIATION**

Petitioner Tennessee American Water Company (“Petitioner” or “TAWC”) serves these Second Discovery Requests on the Chattanooga Manufacturers Association (“CMA”), and asks that CMA provide responses to each request separately, fully, and in writing. CMA is also called upon to produce all documents and evidence requested herein. Furthermore, CMA is called upon to fulfill its duty to supplement its answers as far in advance of the beginning of any hearing as is reasonably possible if it is learned that any response is in any material respect incomplete, incorrect or has changed.

In these discovery requests, the terms “document” or “documents” or “documentation” refers to all written, reported, recorded or graphic matter (including all drafts, originals and nonconforming copies that contain deletions, insertions, handwritten notes or comments, and the like) however produced or reproduced to any tangible or intangible, permanent or temporary record and, without limitation, shall include the following: all letters, correspondence, records of conferences or meetings, memoranda, notes, printed electronic mail (“e-mail”), telegrams, telephone logs, teletypes, telexes, banking records, notices of wire transfer of funds, canceled

checks, books of account, budgets, financial records, contracts, agreements, invoices, speeches, transcripts, depositions, press releases, affidavits, communications with government bodies, interoffice communications, working papers, newspaper or magazine articles, computer data, tax returns, vouchers, papers similar to any of the foregoing, and any other writings of every kind and description (whether or not actually used) and any other records from which information can be obtained and translated into reasonably usable form, including without limitation, e-mail, voice recordings, video and audio recordings, photographs, films, tapes and other data compilations.

DISCOVERY REQUEST NO. 15:

If the CMA relies on any facts that were not specifically identified or discussed in the direct testimony that has been submitted on behalf of the CMA in this proceeding, whether related to issues of credibility or any other issue, to support your contention(s), position(s) or belief(s) that any of the request(s) for relief, including any increase in rates, made by TAWC in TRA Docket No. 04-00288 should not be approved by the Tennessee Regulatory Authority ("TRA"), identify or state each such fact with specificity.

RESPONSE:

DISCOVERY REQUEST NO. 16:

If the CMA relies on any documents, photographs, or any other articles or things whatsoever that were not attached to the direct testimony that has been submitted on behalf of the CMA in this proceeding, whether as to issues of credibility or any other issue, to support the CMA's contention(s), position(s) or belief(s) that any of the request(s) for relief, including any increase in rates, made by TAWC in TRA Docket No. 04-00288 should not be approved, produce each such document, photograph, or any other article or thing whatsoever.

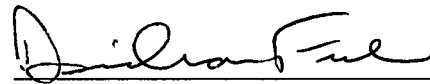
RESPONSE:

DISCOVERY REQUEST NO. 17:

Provide in electronic media all exhibits, schedules, work papers, and other documents that were attached to or produced in connection with the direct testimony that the CMA submitted in this proceeding, and provide in electronic media and in hard copy all underlying work papers upon which those exhibits, schedules, work papers, and other documents were based or were otherwise derived.

RESPONSE:

Respectfully submitted,



J. Davidson French (#15442)
R. Dale Grimes (#6223)
T. G. Pappas (#2703)
BASS, BERRY & SIMS PLC
AmSouth Center
315 Deaderick Street, Suite 2700
Nashville, TN 37238-3001
(615) 742-6200

*Counsel for Petitioner
Tennessee American Water Company*

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Request for Discovery from Tennessee American Water Company to Chattanooga Manufacturers Association has been served via the method(s) indicated, on this the 5th day of January, 2005, upon the following:

- ☐ Hand
- ☒ Mail
- ☒ Facsimile
- ☐ Overnight

Michael A. McMahan, Esq.
Phillip A. Noblett, Esq.
Lawrence W. Kelly, Esq.
Nelson, McMahan & Noblett
801 Broad Street, Suite 400
Chattanooga, TN 37402

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Timothy C. Phillips Esq.
Vance L. Broemel, Esq.
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Consumer Advocate and Protection Division
P.O. Box 20207
Nashville, TN 37202

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